

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARK L. MCHUGH,

Plaintiff,

No. C 07-03677 JSW

v.

HILLERICH & BRADSBY CO.,

Defendant.

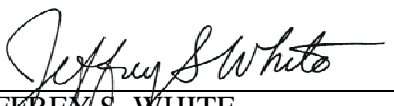
**ORDER RE CROSS-MOTIONS  
FOR SUMMARY JUDGMENT**

The Court has received the parties' cross-motions for summary judgment on infringement. It is the Court's practice to require four briefs for cross-motions for summary judgment. Accordingly, the Court STRIKES the cross-motions as filed; VACATES the hearing date of September 11, 2009; and ORDERS that the parties meet and confer to decide which party shall begin briefing the first motion for summary judgment.

The opening brief shall be filed by no later than August 7, 2009. The other party shall file its opposition and cross-motion by September 11, 2009. The reply and opposition to the cross-motion shall be filed by September 25, 2009. The reply in support of the cross-motion shall be filed by October 2, 2009. The cross motions for summary judgment shall be heard on Friday, October 23, 2009 at 9:00 a.m.

**IT IS SO ORDERED.**

Dated: August 4, 2009

  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE